

Attorney Docket No.: 05001.1030

Claim Election

The Office has indicated that the pending claims, claims 1-39, represent more than one invention and thus, is imposing a restriction requirement and requesting the applicant to elect one of the inventions for prosecution.

More specifically, the Office has indicated that claims 1, 3, 7, 9-20 and 38 are drawn to a system for distributing music to a customer (Group I) and that claims 2, 4-6, 8, 21-35, 36-37 and 39 are drawn to a method/instruction of distributing selected music in e-commerce (Group II).

Without admitting the correctness of the Office's position, the applicant hereby makes an election for Group II claims to be prosecuted. The applicant reserves the right to file the claims of Group I in a divisional/continuation application or to reintroduce the claims during prosecution of the instance case along with an argument in traversal of the Office's position.